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**BOX AF**

IFW RCE  
3763  
PATENT  
PD-0464

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of ) Group Art Unit: 3763  
Darren Y.K. Yap et al. )  
Serial No.: 09/940,369 ) Examiner: Cris Loiren Rodriguez  
Filed: August 24, 2001 )  
For: IMPROVED FLUID )  
RESERVOIR PISTON )

**CERTIFICATE OF MAILING VIA UNITED STATES POSTAL SERVICE**

Date of Deposit: May 14, 2004

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that:

- A Request for Continued Examination (RCE) Application Under 37 CFR § 1.114.
- A copy of the Amendment After Final Under 37 CFR § 1.116(a) filed on February 25, 2004.
- return postcard.

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Name of Person mailing papers

Nestor Atienza  
Signature

MEDTRONIC MINIMED, INC.  
18000 Devonshire Street  
Northridge, CA 91325-1219  
Telephone: (818) 576-5291  
Fax: (818) 576-6202



PTO/SB/30 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031  
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## Request for Continued Examination (RCE) Transmittal

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P.O. Box 1450  
Alexandria, VA 22313-1450

<b>Application Number</b>	09/940,369
<b>Filing Date</b>	August 24, 2001
<b>First Named Inventor</b>	Darren Y.K. Yap et al.
<b>Art Unit</b>	3763
<b>Examiner Name</b>	Cris Loiren Rodriguez
<b>Attorney Docket Number</b>	PD-0464

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- 1. Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
  - i.  Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
  - ii.  Other Amendment After Final Action filed on February 25, 2004
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/ Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other \_\_\_\_\_

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
  - a.  Deposit Account No. 50-0621

- i.  RCE fee required under 37 CFR 1.17(e)
  - ii.  Extension of time fee (37 CFR 1.136 and 1.17)
  - iii.  Other \_\_\_\_\_
- 05/19/2004 HALI11 00000037 500621 09940369
- b.  Check in the amount of \$ \_\_\_\_\_
  - c.  Payment by credit card (Form PTO-2038 enclosed)
- 01 FC:1801 enclosed 770.00 DA

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Vivian S. Shin	Registration No. (Attorney/Agent)	43,919
Signature		Date	05/14/2004

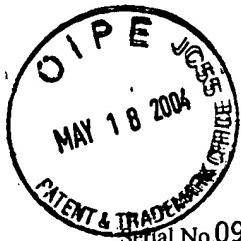
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Name (Print/Type)	Vivian S. Shin
Signature	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**COPY**

Serial No.09/940,369 File No.PD-0464 Date Mailed 2/25/04 By:C. Pineiro

Title: Improved Fluid Reservoir Piston

Client Name:

The Following, due \_\_\_\_\_ in the U.S. Patent &amp; Trademark Office was received in the Patent &amp; Trademark Office on the date stamped hereon:

**XXAmendment TRANSMITTAL**

- Preliminary Amendment
- PCT Application Including
- Pages Spec. \_\_\_\_ Page Abstract \_\_\_\_ Claims
- Application for Patent Including
- Pages Spec. \_\_\_\_ Page Abstract \_\_\_\_ Claims
- Declaration, Affidavit of Oath ( \_\_\_\_ Page(s) )
- Assignment
- Recordation Form Cover Sheet
- Power of Attorney by Assignee
- Letter of Transmittal
- Maintenance Fee Transmittal
- Letter Re \_\_\_\_\_
- PCT Request Form
- return postcard

Drawings: # of Sheets \_\_\_\_\_

- Formal  Informal
- Issue Fee Transmittal
- Form Part B
- Notice of Appeal
- Petition for \_\_\_\_\_
- Advance soft copy order
- Certified Copy: # \_\_\_\_ of Docs.
- IDS: \_\_\_\_ References
- Form PTO-1449
- IDS Transmittal
- General Power of Attorney
- Certificate of Correction
- Corrected Filing Receipt
- Terminal Disclaimer

**XX AMENDMENT AFTER FINAL ACTION UNDER 37 CFR 1.116(a)**

Serial No.09/940,369 File No.PD-0464 Date Mailed 2/25/04 By:C. Pineiro

Title: Improved Fluid Reservoir Piston

Client Name:

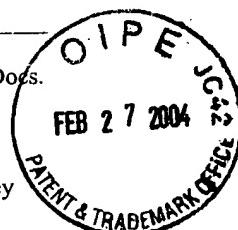
The Following, due \_\_\_\_\_ in the U.S. Patent &amp; Trademark Office was received in the Patent &amp; Trademark Office on the date stamped hereon:

**XXAmendment TRANSMITTAL**

- Preliminary Amendment
- PCT Application Including
- Pages Spec. \_\_\_\_ Page Abstract \_\_\_\_ Claims
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- Declaration, Affidavit of Oath ( \_\_\_\_ Page(s) )
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- Formal  Informal
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- Certified Copy: # \_\_\_\_ of Docs.
- IDS: \_\_\_\_ References
- Form PTO-1449
- IDS Transmittal
- General Power of Attorney
- Certificate of Correction
- Corrected Filing Receipt
- Terminal Disclaimer

**XX AMENDMENT AFTER FINAL ACTION UNDER 37 CFR 1.116(a)**



In re Application of: Darren K. Yap et al.  
Serial No.: 09/940,369  
Filed: August 24, 2001  
For: IMPROVED FLUID RESERVOIR PISTON

**PATENT**  
Docket: PD-0464  
Date: February 25, 2004

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith are:

- Amendment After Final Action Under 37 CFR § 1.116(a) in the above-identified application;
- and
- Return postcard.

The fee has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDT. FEE
TOTAL INDEP CLAIMS [ ] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM	24 2 MINUS 67 MINUS 4 =	-0- -0- =	x 9 x 42 + 140 TOTAL	\$ \$ \$ \$
			OR	RATE ADDT. FEE
			OR	x 18 \$-0-
			OR	x 84 \$-0-
			OR	+ 280 \$
			OR	TOTAL \$-0-

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- [ ] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. A copy of this sheet is enclosed.
- [ ] Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- [ ] Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

Vivian S. Shin  
Registration No. 43,919

MEDTRONIC MINIMED, INC.  
18000 Devonshire Street  
Northridge, CA 91325-1219  
Telephone (818) 576-5291  
Facsimile (818) 576-6202

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**Amendment Under 37 C.F.R. § 1.116(a)  
Expedited Procedure - Examining Group 3763**

**PATENT  
PD-0464**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants:	Darren Y.K. Yap et al.	)	
		)	
Serial No.:	09/940,369	)	Group Art Unit: 3763
		)	
Filed:	August 24, 2001	)	Examiner: Cris Loiren Rodriguez
		)	
Title:	IMPROVED FLUID RESERVOIR PISTON	)	
		)	
		)	

**AMENDMENT AFTER FINAL ACTION  
UNDER 37 CFR § 1.116(a)**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action dated November 25, 2003, please enter and consider the following amendment and remarks.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

February 25, 2004  
Date of Deposit

Vivian S. Shin, Reg. No. 43,919  
Name

  
Signature